


REMARKS

It is respectfully requested that the instant Preliminary Amendment be entered prior to examination. It is also respectfully submitted that the instant application is the national phase of International Application No. PCT/US2004/033290, filed on October 9, 2004. The priority in the amendment is the same priority set forth and accepted in the US/RO during the international phase. As such, it is Applicant's position that a Petition under 37 C.F.R. § 1.78(a)(3) is not required since the instant preliminary amendment is merely to clarify the language of the priority claim. However, should the Examiner decide that a Petition is required, the Examiner is respectfully requested to notify the undersigned attorney for applicant.

Respectfully submitted,

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